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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

IN RE MERCK & CO., INC.  
VYTORIN/ZETIA SECURITIES  
LITIGATION

Civil Action No. 08-2177 (DMC) (JAD)

**NOTICE OF MOTION**

To: All Persons on ECF Service List

PLEASE TAKE NOTICE that, on October 1, 2013 at 10:00 a.m., Lead Plaintiffs shall move before the Hon. Dennis M. Cavanaugh, U.S.D.J. in Courtroom PO 04 at the Frank R. Lautenberg U.S. Post Office and Courthouse Building, Newark, New Jersey 07101, for entry of orders, *inter alia*: (1) finally approving the proposed Settlement on the terms and conditions set forth in the Stipulation and Agreement of Settlement, dated June 3, 2013; (2) directing the parties and their counsel to implement and to consummate the Settlement; (3) approving the proposed plan of allocation of the proceeds of the Settlement; and (4) granting such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, in support of the motion, Lead Plaintiffs will rely upon the accompanying Memorandum of Law in support of the motion and the Joint Declaration of Daniel L. Berger and Salvatore J. Graziano, with annexed exhibits. Proposed orders granting the requested relief will be submitted with Lead Plaintiffs' reply papers, after the deadlines for objecting and opting-back into the Settlement have passed.

PLEASE TAKE FURTHER NOTICE that the undersigned hereby requests oral argument.

CARELLA, BYRNE, CECCHI,  
OLSTEIN, BRODY & AGNELLO, P.C.

By: /s/ James E. Cecchi  
JAMES E. CECCHI

Dated: July 2, 2013

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